

Remarks

After careful consideration of the outstanding Office action, this application has been amended accordingly, and favorable reconsideration on the merits thereof is herewith respectfully requested.

The title of the invention has been amended to correspond the same to the claims of record, as opposed to the original less definitive title. Approval of the new title by the Examiner is respectfully requested.

Original claims 1 and 2 have been cancelled and replaced by new claims 3 through 8 to avoid the Section 112 rejection and the rejections based upon Sections 102(b) and 103(a). Upon careful consideration of the new claims, formal allowance thereof by the Examiner is believed to be in order and would be most appreciated.

Independent claim 3 is directed to the "press shell" per se, whereas independent claim 6 is directed to the "fitting" which includes therein the press shell limitations of independent claim 3.

Turning first to independent claim 3, the scope and content thereof is believed to be clearly set forth but, most importantly, the last limitation reads: "one of a wax layer and a solid lubricant layer (22) at least partially covering a right-cylindrical surface portion of said substantially cylindrical outer right-cylindrical surface (20) against which pressing forces of a pressing tool are applied for reducing friction during press fitting of the press shell to a fitting body support shell." The combination of independent claim 3 as specifically limited by the latter-quoted limitation renders moot any rejection thereof based upon the patent to Turner et al. (2,976,543) or Dawson (3,771,343), as

applied by the Examiner in the Office Action at page 2, last paragraph and page 3, first paragraph.

Turning first to the Turner et al. patent ('543), suffice it to say that the disclosure is directed to a "GASKET FERRULE," not a "press shell" as set forth in the preamble of independent claim 3. Beyond the latter, the Examiner identified "in Figure 2 a shell 20 of plastic material that has a wax layer 18 in partial regions of the outer side of the shell body." The so-called "wax layer 18" is not a "layer" but is instead a "ring 18" (column 3, line 6) which is carried by a circumferentially radially outwardly directed flange 28 (column 3, lines 21-22) which creates a conventional "fluid-tight" seal between the toilet bowl 10 and the floor (column 2, lines 42-53). Obviously, claim 3 excludes the Examiner's misinterpretation of the Turner gasket ferrule as a "press shell" by further limiting the press shell to a tubular shell body defined by both inner and outer right-cylindrical surfaces and "opposite terminal substantially annular axially **oppositely facing** surfaces." The latter-quoted limitation avoids the flange of the Turner et al. gasket ferrule and quite obviously the remaining right-cylindrical portion thereof includes only integral circumferential outwardly directed lips 35, 36 and a lower circumferential rib 40, none of which constitute "one of a wax layer and a solid lubricant layer," as specified in independent claim 3. Thus, the last limitation of claim 3 finds no counterpart in the Turner et al. patent, and the latter can neither anticipate nor render obvious independent claim 3 or like and further limited independent claim 7. Thus, upon consideration of the foregoing, the formal allowance of independent claims 3 and 6 and the claims depending therefrom would be most appreciated.

With respect to the Dawson patent ('343), the Examiner utilized the same as a teaching of a process for pressing a shell S to a tube T by utilizing "press jaws 25 that have been coated with solid lubricant (see column 5, lines 57-68)." None of the claims of record are directed to a process, thus the Dawson patent is incapable of rendering any of the claims of record obvious thereover. Additionally, the Dawson patent is silent with respect to the construction of a press shell or a press fitting utilizing a press shell as recited in respective claims 3 and 6. In view of the foregoing the formal allowance of all of the claims of record over the Dawson patent is considered to be in order and would be most appreciated.

In view of the foregoing, the formal allowance of this application at an early date would be most appreciated.

Very respectfully,

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Attachment: Extension w/check